



17 June 2013 / 17 juin 2013

IOTC CIRCULAR 2013–53 / CIRCULAIRE CTOI 2013–53

SUBJECT: COMMUNICATION FROM THE UNITED KINGDOM ON BEHALF OF ITS INDIAN OCEAN TERRITORIES

Dear Sir / Madam,

Please find attached communication from UK (OT) regarding a fishing vessel identified as having carried out IUU fishing activities in the UK (OT) waters.

SUJET: COMMUNICATION DU ROYAUME-UNI AU NOM DE SES TERRITOIRES DANS L'OCEAN INDIEN

Madame, Monsieur,

Veillez trouver en pièce jointe une communication du Royaume Uni (Territoires) concernant un navire de pêche qui a été identifié comme ayant conduit des activités de pêche INN dans les eaux du Royaume Uni (Territoires).

Yours sincerely/cordialement,

Rondolph Payet

Executive Secretary / Secrétaire Exécutif

Attachments / Pièces joint

- Letter from UK/ Lettre de UK
 - IOTC IUU reporting form / Formulaire CTOI de déclaration d'activité illégale
- Annexes of IOTC IUU reporting form :
- Inspection report (Seulement disponible en Anglais)
 - Court Proceedings (Seulement disponible en Anglais)
 - Boarding Form Scan (Seulement disponible en Anglais)
 - Communication from BIOT authorities to Sri Lanka (Seulement disponible en Anglais)
 - Communication from Sri Lanka indicating action has been taken (Seulement disponible en Anglais)
 - Communication from Sri Lanka Department of Fisheries and Aquatic Resources to the vessel owner (Seulement disponible en Anglais)
 - Communication from Sri Lanka to the District Fisheries office instructing the Lakpriya 2 to be anchored (Seulement disponible en Anglais)
 - Photographs from arrest (Seulement disponible en Anglais)

Distribution / Destinataires

IOTC Members / Membres de la CTOI: Australia, Belize, China, Comoros, Eritrea, European Union, France (Territories), Guinea, India, Indonesia, Iran (Islamic Rep of), Japan, Kenya, Rep. of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, Sierra Leone, Sri Lanka, Sudan, United Rep. of Tanzania, Thailand, United Kingdom (OT), Vanuatu, Yemen.

Cooperating non-Contracting Parties / Parties coopérantes non-contractantes: Senegal, South Africa.

Chairperson IOTC / Président de la CTOI

Copy to / Copie à: FAO Headquarters, FAO Representatives to CPCs

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Letter from UK



18 Queen Street
London
W1J 5PN
United Kingdom

Tel: (+44) 020 7255 7755
Fax: (+44) 020 7499 5388
E-Mail: enquiry@mrag.co.uk
Internet: www.mrag.co.uk

Mr Rondolph Payet
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

12 June 2013

cc. Mr Herminio Tembe, Chair of the Compliance Committee; Mr Hosea Gonza Mbilinyi Vice Chair

Dear Alejandro,

Resolution 11/03. On establishing a list of vessels presumed to have carried out illegal, unregulated and unreported fishing in the IOTC area.

Please find attached, as required under resolution 11/03, details of the vessel Lakpriya 2 flagged to Sri Lanka engaged in IUU fishing in BIOT waters. The Sri Lankan Authorities have been notified and have responded indicating the action they have taken including removal from the IOTC AFV list (correspondence attached). No further action is required with respect to the IUU list.

a Notification to IOTC Secretariat only. No further action is recommended.			
<u>Vessel</u>	<u>Registration No.</u>	<u>Master</u>	<u>Owner</u>
1. Lakpriya 2	IMUL- A-0493-KLT / IOTC013239	Mr. Manoj Udayangy Fanando	HRH. Silva

We have requested that the Sri Lanka authorities add this vessel to the monthly status reports submitted to the Secretariat for circulation.

I would be grateful if you could circulate this information for the information of the Compliance committee. Thank you.

Yours sincerely

Dr C.C. Mees
Head of UK-OT Delegation

IOTC Reporting form for Illegal Activity

Recalling IOTC Resolution 2011/03 'On establishing a list of vessels resumed to have carried out illegal, unregulated and unreported fishing in the IOTC area', attached are details of illegal activity recorded in the British Indian Ocean Territory.

A. Details of Incident(s)

(Please detail the incidents(s) in the format below)

Item	Definition	Indicate
a	Current Name of Vessel (Previous names)	Lakpriya 2
b	Current Flag (previous flag)	Sri Lanka
c	Date first included on IOTC IUU Vessel List	n/a
d	Lloyds IMO Number/IMUL/IOTC number	IMUL- A-0493-KLT / IOTC013239
e	Photographs	Yes
f	Call Sign (previous call sign)	n/a
g	Owner / Beneficial Owners	HRH. Silva of 53, Temple Road.
h	Operator (previous operators)	Mr. Manoj Udayangy Fanando
i	Date of Activities	05/04/2013
j	Position of Activities	05° 47.1S 074° 04.5E
k	Summary of IUU Activities	Fishing without a licence, Possession of illegal (within BIOT) fishing gear.
l	Summary of Actions Taken	Vessel arrested, court case held 17 th April 2013. Skipper pleaded not guilty to fishing in BIOT waters. All fishing gear confiscated. Fine £20,500 (£15,000 fishing without a licence, £5,500 illegal fishing gear); Court Costs £500. Total £21,000. Later appealed and reduced to £15,000 in total.
m	Outcome of Actions Taken	Fine paid on 15 th May, vessel released 17 th May 10:00.

B. Details of IOTC Resolution Elements Contravened

(Indicate with a "X" the individual elements of IOTC Resolution 11/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

Item	Definition	Indicate
a	Harvest tunas and tuna-like species in the IOTC Area and are not registered on the IOTC Record of Vessels authorised to fish for tuna and tuna-like species in the IOTC area	
b	Harvest tuna and tuna-like species in the IOTC Area, whose flag state is without quotas, catch limit or effort allocation under IOTC conservation and management measures where appropriate	
c	Do not record or report their catches made in the IOTC Area, or make false reports	
d	Take or land undersized fish in contravention of IOTC conservation measures	
e	Fish during closed fishing periods or in closed areas in contravention of IOTC conservation measures,	
f	Use prohibited fishing gear in contravention of IOTC conservation measures	
g	Tranship with, or participate in joint operations such as re-supplying or re-fuelling vessels included in the IUU Vessels List,	
h	Harvest tuna or tuna-like species in the waters under the national jurisdiction of a coastal State in the IOTC Area without authorisation and/or infringes its laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels	X
i	Are without nationality and harvest tunas or tuna-like species in the IOTC Area	
j	Engage in fishing activities contrary to any other IOTC conservation and management measures	

C. Associated Documents

Appendix 1) Inspection report; Appendix 2) Record of Court Proceedings; Appendix 3) Boarding form showing position of arrest; Appendix 4) Communication from BIOT authorities to Sri Lanka; Appendix 5) Communication from Sri Lanka indicating action has been taken; Appendix 6) Communication from Sri Lanka Department of Fisheries and Aquatic Resources to the vessel owner; Appendix 7) Communication from Sri Lanka to the District Fisheries office instructing the Lakpriya 2 to be anchored; Appendix 8) Photographs from arrest.

D. Recommended Actions

Recommended Actions		Please Indicate
A	Notification to IOTC Secretariat only. No further action is recommended.	X
B	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag state.	
C	Recommended for inclusion on IOTC IUU list	

Note : ce qui suit est la traduction d'un courrier en Anglais reçu par le Secrétariat. Pour plus de détails, se reporter à l'original.

Lettre du Royaume-Uni



18 Queen Street
London
W1J 5PN
United Kingdom

Tel: (+44) 020 7255 7755
Fax: (+44) 020 7499 5388
E-Mail: enquiry@mrag.co.uk
Internet: www.mrag.co.uk

M.Rondolph Payet
Secrétaire exécutif
Commission des thons de l'océan Indien
Mahe
Seychelles

12 juin 2013

cc. M. Herminio Tembe, président du Comité d'application ; M. Hosea Gonza Mbilinyi, vice-président du CdA

Cher Rondolph,

Résolution 11/03. Résolution 11/03 Visant à l'établissement d'une liste de navires présumés avoir exercé des activités de pêche illégales, non déclarées et non réglementées dans la zone de la convention.

Veillez trouver ci-jointes, comme requis par la résolution 11/03, des informations sur le navire Lakpriya 2 battant pavillon du Sri Lanka engagé dans des activités de pêche INN dans les eaux du BIOT. Les autorités sri-lankaises ont été informées et on répondu en indiquant les mesures prises, y compris le retrait du navire de la Liste des navires de pêche autorisés (voir correspondance jointe). Aucune autre action n'est requise concernant la Liste des navires INN.

a Notification au Secrétariat de la CTOI. Aucune autre action n'est requise.			
<u>Navire</u>	<u>N° immatriculation</u>	<u>Capitaine</u>	<u>ARMATEUR</u>
2. Lakpriya 2	IMUL- A-0493-KLT / IOTC013239	M. Manoj Udayangy Fanando	HRH. Silva

Nous avons demandé aux autorités du Sri Lanka d'ajouter ce navire aux rapports de situation mensuels transmis au Secrétariat pour diffusion.

Merci de bien vouloir diffuser ces informations au Comité d'application. Merci.

Cordialement,

Dr C.C. Mees

Chef de la délégation du Royaume-Uni près la CTOI

Note : ce qui suit est la traduction d'un courrier en Anglais reçu par le Secrétariat. Pour plus de détails, se reporter à l'original.

Formulaire CTOI de déclaration d'activité illégale

En rapport avec la Résolution 11/03 visant à l'établissement d'une liste de navires présumés avoir exercé des activités de pêche illégale, non réglementée et non déclarée dans la zone de compétence de la CTOI, veuillez trouver ci-dessous des informations sur des activités illégales observées dans le Territoire britannique de l'océan Indien.

A. Détails des navires.

(Décrire le(s) incident(s) dans le tableau ci-dessous)

Item	Définition	Détails
a.	Nom du navire et nom(s) précédent(s) si applicable.	Lakpriya 2
b.	Pavillon du navire et pavillon(s) précédent(s) si applicable.	Sri Lanka
c.	Date de première inscription du navire sur la Liste de navires INN de la CTOI.	n/a
d.	Numéro Lloyds/IMO ou numéro d'immatriculation national.	IMUL- A-0493-KLT / IOTC013239
e.	Photos du navire, si disponibles.	oui
f.	Indicatif d'appel radio et indicatif d'appel radio(s) précédent(s) si applicable.	n/a
g.	Armateur(s) du navire et armateur(s) précédent(s), y compris les propriétaires en équité, si applicable.	HRH. Silva of 53, Temple Road.
h.	Opérateur(s) du navire et opérateur(s) précédent(s) si applicable.	M. Manoj Udayangy Fanando
i.	Date des activités INN	05/04/2013
j.	Localisation des activités INN	05°47,1S 074°04,5E
k.	Résumé des activités INN.	Pêche sans licence, possession d'engin de pêche interdit (dans le BIOT)
l.	Résumé des actions prises	Navire arrêté, affaire jugée le 17 avril 2013. Le capitaine a plaidé non coupable de pêche dans les eaux du BIOT. Tous les engins de pêche ont été saisis. Amende de 20 500£ (15 000 pour pêche sans licence, 5 500 pour engins interdits). Frais de justice : 500£. Total : 21 000£. Amende ramenée en appel à 15 000 £.
m.	Résultat des actions prises	Amende réglée le 15 mai. Le navire a été relâché le 17 mai à 10h00.

B. Détails des clauses de la résolution de la CTOI violées.

(Indiquer d'un « X » les clauses de la résolution 2011/03 concernées et fournir des détails pertinents, y compris la date, le lieu, la source de l'information. Des informations supplémentaires peuvent être fournies en pièce jointe si nécessaire).

Item	Clause	Concernée
a.	pêchent des thons et des thonidés dans la zone de compétence de la CTOI et ne sont pas inscrit au Registre CTOI des navires autorisés à pêcher dans la zone de compétence de la CTOI	
b.	pêchent des thons et des thonidés dans la zone de compétence de la CTOI et que leur État de pavillon n'a pas de quota de captures, de limites de prises ou d'allocation d'effort au titre des mesures de conservation et de gestion de la CTOI, si applicable	
c.	n'registrent ou ne déclarent pas leurs prises réalisées dans la zone de compétence de la CTOI selon les conditions de déclaration de la CTOI, ou falsifient leurs déclarations	
d.	capturent ou débarquent du poisson en contravention des mesures de conservation et de gestion de la CTOI	
e.	pêchent durant une période de clôture de la pêche ou dans des zones fermées, en contravention des mesures de conservation et de gestion de la CTOI, ou	
f.	utilisent des engins prohibés en contravention des mesures de conservation et de gestion de la CTOI	
g.	transbordent vers, ou participent à des opérations (telles que réapprovisionnement ou ravitaillement) avec, des navires inscrits sur la liste des navires INN	
h.	pêchent des thons et des thonidés dans les eaux territoriales d'un état côtier de la zone de compétence de la CTOI sans autorisation ou en contravention des lois et règlements nationaux (sans porter atteinte aux droits souverains des États côtiers de prendre des mesures contre lesdits navires)	X
i.	n'ont pas de pavillon et pêchent des thons et des thonidés dans la zone de compétence de la CTOI	
j.	se livrent à des activités de pêche contraires à toute autre mesure de conservation et de gestion de la CTOI	

C. Documents associés

1) Rapport d'inspection ; Annexe 2) Compte-rendu d'audience ; 3) Formulaire d'arraisonnement indiquant le lieu d'arrestation ; 4) Correspondance des autorités du BIOT au Sri Lanka ; 5) Correspondance du Sri Lanka indiquant les mesures prises ; 6) Correspondance du Département des pêches et des ressources aquatiques du Sri Lanka à l'armateur du navire ; 7) Correspondance du Sri Lanka au Bureau des pêches de district instruisant de garder le Lakpriya 2 à l'ancre ; 8) Photos de l'arrestation.

D. Actions recommandées

(Indiquer d'un « X » les actions concernées)

Item	Actions recommandées	Concernée
a	Notification uniquement au Secrétariat. Pas d'autre action recommandée.	X
b	Notification au Secrétariat. Notification recommandée à l'État du pavillon.	
c	Recommandation d'inclusion sur la Liste INN de la CTOI	

Appendix 1 Inspection report

BOARDING REPORT

DATE: 5th April 2013
VESSEL: LAKPRIYA 2
CALL SIGN: N/A
IMO N°: NA
IMUL N°: IMUL- A-0493-KLT
MASTER: Mr W. V. MANOJ UDAYANGY FANANDO

1. **SFPO:** Robert Clark

BOARDING PURPOSE: DRIFTING INSIDE INNER SECTOR 2 MOVED FROM POSITION WHEN BPV HEADED TOWARDS IT AND FISHING GEAR FOUND DEPLOYED AT LOCATION FIRST SIGHTED

1. Introduction

On the 5th April 2013 the BIOT patrol vessel "Pacific Marlin" (BPV) was conducting a routine fisheries patrol, (BIOT 400) in Inner Sector 2. The BPV had departed Diego Garcia at 12:00hrs on the 1st April 2013.

06:10 the Senior Fishery Protection Officer (SFPO) was woken and called to the bridge to investigate a radar signature which was suspected of being a fishing vessel (FV). The SFPO was shown the target vessel by the Officer of the Watch (OOW) and requested that he confirm or eliminate the contact. The SFPO confirmed that this was a possible FV;

Position 05° 46.4S 073° 52.5E

Course 058° swinging through to 159°

Range 7.2nmls

Bearing 196°

Speed 0.9 – 3.2kts

The suspect vessel was placed under remote observation by radar and its actions monitored. It was noted that the speed, course and direction remained erratic swinging through degrees of direction at low speed. This is indicative of a small fishing vessel handing on the end of its gear when either setting or recovering.

A constant visual was kept at the helm in lookout for navigation lights and fishing gear. The radars were set as follows, port 12nmls giving a 24nmls view between North and South with the same for East and West and the starboard giving the same but set to 24nmls with a 48nml view.

No other vessels could be seen on any of the radar sets. Therefore, this was the only vessel within the vicinity.

The general characteristics of the evening were of cloudy skies, moderate seas; moderate wind at between 15 and 25kts but no moon and so visibility was at a reduced level because of the lack of moonlight.

06:47 at a distance of 5.16nmls the suspect vessel was visually sighted and identified as a Sri Lankan type Drift Net (DN), Long Line (LL), inboard multi day boat (IMUL). No navigation lights were ignited and she was drifting in dark vessel status.

06:59 at a distance of 4.1nmls, and at a time when the BPV switched on the bridge light, the suspect vessel was noted to change course and make a new heading of 060° and raised its speed to between 5.5kts and 6.2kts.

This behaviour is consistent with a vessel attempting to evade boarding or to put distance between itself and any evidence that may be in the water. The BPV was instructed to maintain its course towards the position where the vessel had been observed drifting.

07:15 and at position **05° 45.7S 073° 52.9E** the SFPO with the aid of binoculars, sighted fishing gear floating in the water. The fishing gear observed was constructed of, a bamboo pole with two black triangular flags on it,

attached and on a rope was a second plastic buoy coloured red, and emitting from this bamboo flag pole in a north westerly direction could be seen a long line of white fishing floats and a second bamboo flag pole in the distance. This set up is consistent with the style of long line used by Sri Lankan day boats.

07:30 FRC1 launched at a distance of approximately 3 cables from the fishing gear, with SFPO R Clark, and FPO Perris (Sri Lankan) and FPO De Sylva (Sri Lankan).

07:35 the fishing gear was inspected and found to be clean and fresh with no algae growth, or other signs of having been in the water for any consistent period of time. FPO De Sylva was instructed to attach two fender buoys to the gear, which had already been coated in aluminium foil, so that they may act as make shift radar reflectors. This was done.

07:40 FRC1 recovered to BPV and OOW instructed to pursue the FV in flight.

08:58 FRC 1 launched at a distance of 1.37nmls from FV, with FV continuing at 6kts.

2. Boarding Details

09:00 The FRC arrived at the FV and circled the vessel two times. During these passes it was noted that the vessel had the name LAKPRIYA 2 painted to her port and starboard bows with the addition of her IMUL number IMUL-A-0493-KLT being written on her wheelhouse wall to starboard. A number of marker boys without any flags were stowed along the boom.

09:05 Boarding party on decks at position **05° 47.1S 074° 04.5E** and were met by 7 men. Through the interpreter FPO Perris the SFPO asked the skipper to identify himself and Mr **W.V Manoj, DOB 14th December 1981** came forward. The reminders of crew were requested to muster to the forward bow, which they did. For the full duration of the boarding the SFPO asked all questions and received all responses through FPO Perris acting as translator.

All holds, were noted to be closed. The long line gear bin to the port side of the vessel was noted to have a black plastic sheet covering it however a further long line bin could be seen forward and to the port side, this was open with just a sack on the lines and hooks could be seen hanging from the wooden frame inside.

Mr Manoj was asked to open his long line bin on the centre port side. This he did and it was noted that no hooks were loaded, all were absent. Mr Manoj was asked to explain this and he said all were in the forward bin and pointed towards it.

The SFPO moved forward and inspected this gear. It was noted to be rusty as if it had not been used for some time. Mr Manoj was asked, when was this last used? He replied, 7 days ago.

The SFPO then asked Mr Manoj if he was aware that wire trace was illegal in BIOT waters. He replied, yes you told me this last time we met.

The SFPO commented that he recognised Mr Manoj and asked when this was. He said "last year".

The SFPO then said to Mr Manoj, we observed your FV drifting this morning and we marked that location on our radar, one hour and 30 minutes later at that same location we discovered fishing gear in the water, can you explain this?

Mr Manoj replied; Not me. My brother died one week ago. Please Sir I am going home, my brother dead.

09:12 as the SFPO had reason to believe Mr Manoj had been involved in illegal activity, namely fishing without a licence and the possession of prohibited fishing gear he was cautioned and arrested at this time.

Mr Manoj became emotional and was crying and begging to be released so he could go to his dead brother.

09:15 Crew were requested to open all hatches.

The SFPO executed the following actions and questions to facilitate the administration of the arrest.

Hold number 2 to the rear of the fishing deck was examined and only Yellowfin Tunas could be seen in the ice below. The SFPO asked how many fish. Mr Manoj replied about 75 Tunas of between 40 and 50kgs each average. The SFPO requested crew to close the hold.

Hold number 1 to the forward of the fishing deck was found to have only flying fish and food inside it. This is consistent with a long line, day boat fishing for Tunas.

09:20 Radio Microphone and Garmin GPS confiscated and Mr Manoj was handed a VHF handheld radio and instructed in its use by FPO Perris.

The SFPO asked Mr Manoj the following questions;

- Do you have a fishing logbook? He replied “no”.
- Do you have a fishing licence? He replied “no”
- Do you have your port exit documentation? He replied “no”
- Do you or your crew have Fisherman ID cards? He replied “no”
- Do you or your crew have National ID Cards? He replied “yes one man”

09:27 SFPO asked Mr Manoj:

- do you know where you are? He replied “yes”.
- Do you understand this is BIOT waters? He replied “yes”.
- Mr Manoj went on to say; Brother dead 7 days ago, last Friday.
- SFPO asked, are you going home for his funeral? He replied “no funeral 5 days ago”.
- SFPO said, OK when we get to Diego Garcia you will be given the opportunity to call your family and explain where you.

The SFPO then asked Mr Manoj some further questions.

- Do you have any weapons on board this vessel? He replied “no”.
- Do you have any insect infestations? He replied “yes, cockroaches and spiders”
- Do you have any poisons on this vessel? He replied “no”
- Do you have any explosives? He replied “no”.
- Do you have any animals? He replied “no”
- Do you or any of your crew have any medical problems or conditions? The SFPO was shown one crew members leg which appeared to have a boil on it. This was healing and didn't appear to be causing any discomfort and was therefore not considered a problem.
- Mr Manoj informed the SFPO that he was suffering from Diabetes and had tablets to control this.

09:43 the SFPO requested Mr Manoj to follow him and look for the fishing gear in the water.

The crews' names addresses and dates of birth were taken.

3. Recovery

09:45 boarding party disembark with two fishermen.

09:50 FRC1 recovered to BPV

11:55 BPV arrived at location of last sighting of fishing gear. None could be seen in the water and therefore searching commenced in one mile spaced concentric circles.

19:15 SFPO requested crew of BPV stand down from searching for fishing gear at last light. Nothing found and therefore BPV commenced its journey back to Diego Garcia with FV following and under arrest.

Robert Samuel Clark

BIOT Senior Fisheries Protection Officer

05th April 2013

Appendix 2: Court Proceedings



**Magistrates Court
Diego Garcia
British Indian Ocean Territory**

RECORD OF PROCEEDINGS 17th April 2013

Case number: 05/13

Name: **Mr. Manoj Udayangy Fanando**

Employee: **Master of Fishing Vessel Lakpriya No.2**

The above named person appeared in the Magistrates Court on the **Seventeenth day of April 2013** on the following charge:

STATEMENT OF OFFENCE

Possession of prohibited fishing gear in BIOT Waters contrary to Section 6(2) Fisheries (Conservation and Management) Ordinance 2007.

Fishing without a licence in BIOT waters contrary to Sections 7(1) and 7(2)(i) of the Fisheries (Conservation and Management) Ordinance 2007.

PARTICULARS OF OFFENCE

That you, being the Master of fishing vessel 'Lakpriya 2', did on 5th day of April 2013; have in your Possession Prohibited Fishing Gear in British Indian Ocean Territory waters Contrary to Section 6(2) of the Fisheries (Conservation and Management) Ordinance 2007.

That you, being the Master of fishing vessel 'Lakpriya 2', did between the 2nd day of March 2013 and 6th day of April 2013 fish within the waters of the British Indian Ocean Territory without a license contrary to Section 7(1) and Section 7(2)(i) of the Fisheries (Conservation and Management) Ordinance 2007

Mr Fanando pleaded Not Guilty to Fishing without a licence in BIOT waters but pleaded guilty to Possession of prohibited Fishing Gear in BIOT waters. Mr Fanando was found guilty to both charges and was sentenced to:

Pay a fine of **15,000 GBP** for Fishing without Licence

Pay a fine of **5,500 GBP**

Forfeit fishing Gear equipment to the Crown

Pay **500 GBP** for Court Costs

Payment is to be made within 30 days. If payment has not been received by the 16th May 2013 Mr. Fanando will re-appear in court for non-payment of fine.

If you wish to appeal the sentence you can do so by contacting myself or BIOTAdmin@fco.gsi.gov.uk before the 16th of May 2013

Miss Jennifer Moores
Clerk of the Magistrates Court
British Indian Ocean Territory

Appendix 3: Boarding Form Scan

BIOT FISHERIES CONSERVATION AND MANAGEMENT ZONE (FCMZ)

DATE: 5-APR-13 TIME: 09:05
 VESSEL NAME: LAKRIZYA 2 IMUL-A-0493KLT
 GPS POSITION: 5°47.1 S 074°04.5 E



GPS POSITION CONFIRMED: _____ SFPO: [Signature]
 CAPTAIN: [Signature]
 WITNESS: [Signature]

Appendix 4: Communication from BIOT authorities to Sri Lanka



18 Queen Street
London
W1J 6PN
United Kingdom

Tel: (+44) 020 7255 7755
Fax: (+44) 020 7499 5388
E-Mail: enquiry@mrags.co.uk
Internet: www.mrag.co.uk

Mr. [Nimal Hettiarachchi](#)
Director General
Department of Fisheries and Aquatic Resources
No 10 New Secretariat
[Maligawatta](#), Colombo 10
E-Mail: nimalhetti@gmail.com
17 May 2013

Dear Mr. [Hettiarachchi](#),

Reporting on illegal fishing by the Sri Lankan vessel [Lakpriya 2](#) in British Indian Ocean Territory (BIOT) Waters

As required under IOTC Resolution 11/03 I attach the IOTC reporting form for IUU activity within BIOT waters by the vessel [Lakpriya 2](#). This vessel was found to be fishing within BIOT waters without a licence.

The [Lakpriya 2](#) was tried under the magistrate's court on Diego Garcia and found guilty of being in breach of BIOT law:

- 1) Fishing within the fishing waters of the British Indian Ocean Territory without a licence (contrary to Section 7(1) of the Fisheries Conservation and Management Ordinance 2007); and
- 2) Possession Prohibited fishing gear contrary to Section 6(2) of the Fisheries (Conservation and Management) Ordinance 2007

The fine was paid on 15 May 2013 and the vessel and crew will be released.

As agreed under our bilateral arrangement, please provide details of the actions taken in respect of the [Lakpriya 2](#), including supporting evidence within 30 days. We shall report the details, including your feedback, to the IOTC Secretariat by 17 June 2013. Please also add this vessel to the monthly reports and supporting evidence that is provided to IOTC Secretariat for circulation including the additional detail agreed at the Compliance Committee meeting held this year (IOTC-2013-CoC10-R[E], para 46).

Yours sincerely

MRAG Ltd
Registered Company no. 291 2982
VAT Registration No 877 7013 92

In association with
Marine Education and Conservation Trust
Reg. Charity No. 297 193

ඇමුණුම (iv)

අං. ස. 581
 ප. ම. ස. 446183
 P. O. Box 446183
 දුරකථන 3 රේඛා
 Telephone (3 lines)



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 Office of Director General 449170
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DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

E-mail : dpfish@diamond.lanka.net
 Web : www.fisheriesdept.org

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 New Secretariat, Maligawala, Colombo 15.

දිනය 21/05/2013
 දිනය 21/05/2013
 Date

Manager
 Ceylon Fisheries Harbour Corporation
 Beruwala

Suspension of High Seas Operation of the Skipper of the vessel "Lakpriya 02"


This is to inform you that the vessel "Lakpriya 2 (IMUL-A-0493KLT)", belongs to Mr.H.R.H.Silva of 53, Temple Road, Beruwala has departed from Beruwala port for High Seas fishing and has been arrested by the Authorities of British Indian Ocean Territories (BIOT/ Diego Garcia) while engaging in illegal fishing in the EEZ of BIOT. The vessel has been released by the BIOT Authorities imposing a fine and forfeiting the fishing equipment after a trial conducted at the Courts.

These illegal fishing activities leads to violate the international conventions and obligations that Sri Lanka is bound to implement as a coastal state in the Indian Ocean. Moreover IUU fishing undermines the conservation and Management Measures of the Indian Ocean Tuna Commission (IOTC) which Sri Lanka is a Contacting Party.

Therefore the following administrative measures have been taken by the Department of Fisheries and Aquatic Resources against the vessel owner (Mr.H.R.H.Silva) and the skipper (Mr. Manoj Udayangy Fernando) of the vessel "Lakpriya 2 (IMUL-A-0493KLT)"

- (i) Cancellation of the Vessel Registration and the Fishing Operation License of the vessel with effect from 21/05/2013.
- (ii) Anchor the vessel for 6 months once the vessel arrives to Sri Lanka.
- (iii) Suspend any fishing activity by the skipper (Mr. Manoj Udayangy Fernando) within EEZ of Sri Lanka and High Seas for six months period with effect from 21st May 2013.

Therefore you are kindly informed to take stern actions on the above suspensions until further notice.


 A.D.P.C. Wijegoonawardana
 Director/Management (Actg.)
 For Director General

- Copy: 1. Chairman, Ceylon Fisheries Harbour Corporation, Colombo 15 - For necessary action
 2. Assistant Director, District Fisheries Office, Kahutara - For information

Annex I

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ගු. කො. } P. O. Box } 531 දුරකථන } Telephone } 446183 (3 lines)		මගේ අංක } DFAR/PM/K/IUU/Local/2013 My No. } ඔබේ අංක } Your No. }
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 New Secretariat, Maligawatta, Colombo 10.

கடற்சீர்தர நில, நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

E-mail : depfish@diamond.lanka.net
 Web : www.fisheriesdept.org

දිනය } 21/05/2013
 তারিখ }
 Date }

REGISTERED POST


Mr.H.R.H.Silva
 53, Temple Road
 Beruwala

Cancellation of Vessel Registration and Operation Licence of Vessels "Lakpriya 2 (TMUL-A-0493KLT)"

This is to inform you that the Vessel Registration and the Fishing Operation Licence of the vessel "Lakpriya 2 (IMUL-A-0493KLT)" is cancelled with effect from 21st May 2013 as the vessel was engaged in IUU fishing in British Indian Ocean Territory waters (BIOT).

The BIOT Authorities have provided the case records of the investigation to this Department for further proceeding in this regard. The Officer In Charge of the Kalutara District has been informed to take actions to anchor the vessel at the nearest Fishing Port Beruwala.

You are hereby informed to report to the Department Head Office (Division of Management - 6th floor) in Colombo with the vessel operator Mr. Manoj Udayangy Fernando and the crew on 30th May 2013 at 10.00 a.m. for an Inquiry in this regard.


 A.D.P.C. Wijegoonawardana
 Director/Management (Actg.)
 For Director General

Cc - Assistant Director, District Fisheries Office, Kalutara - For necessary actions

ඇමුණුම (iii)

මගේ ලේඛන
 த. இலக்கம்
 P. O. Box } 511
 දුරකථන
 தொலைபேசி
 Telephone } 446183
 (3 lines)



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 கடற்மீனாழிவு, நீரியல் வளத்துறை திணைக்களம்

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 புது செயலகம், மலிமொட, கொழும்பு 10.
 New Secretariat, Maligowatta, Colombo 10.

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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 நாள் } 21/05/2013
 Date

E-mail : depfish@diamond.lanka.net
 Web : www.fisheriesdept.org

Assistant Director
 District Fisheries Office
 Kalutara

Cancellation of Vessel Registration and Operation Licence of Vessels "Lakpriya 2 (IMUL-A-0493KLT)"

Department of Fisheries & Aquatic Resources has taken action to cancel the registration and the operation license of vessels "Lakpriya 2 (IMUL-A-0493KLT)" with effect from 21/05/2013 due to engage in IUU fishing in BIOT waters based on the proven case records provided by BIOT.

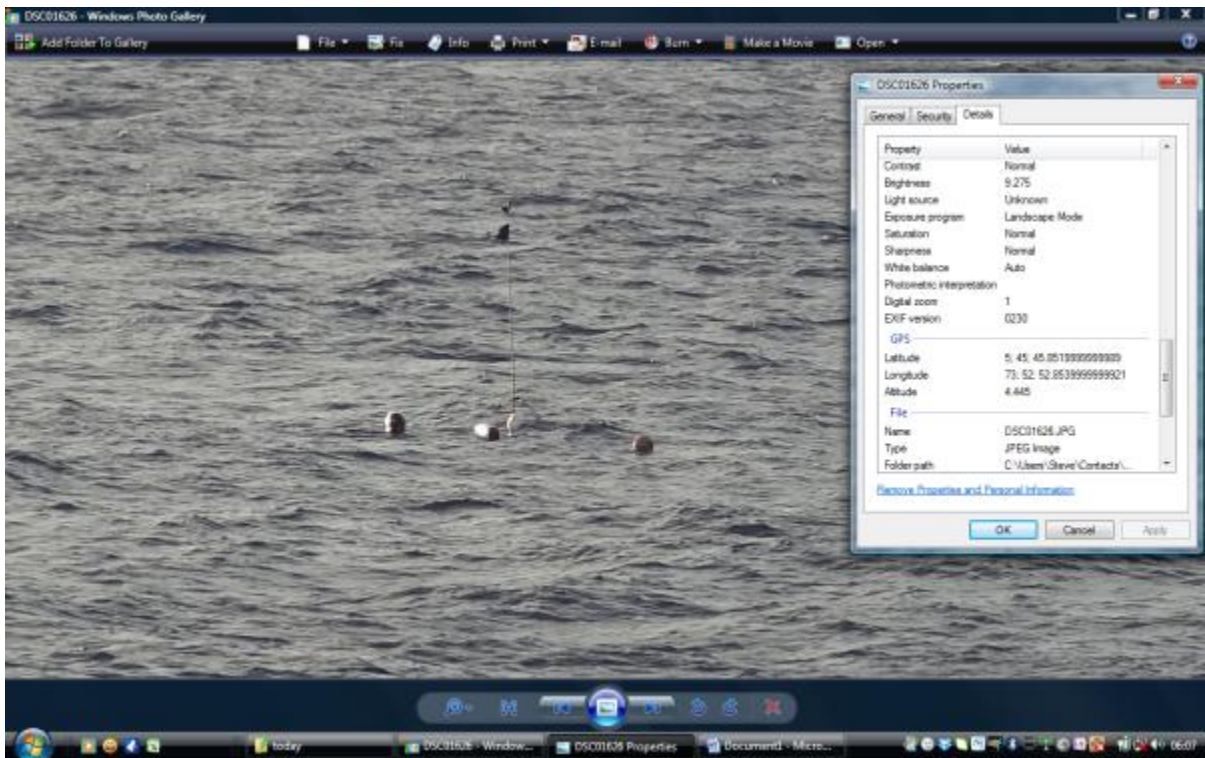
You are hereby informed to act accordingly and make arrangements to anchor the vessels at nearest port and report to DEAR Head Quarters as soon as this vessels return to Sri Lanka.

Further you are advised to be vigilant on the activities of these vessels until future actions taken on this regard.


 A.D.P.C. Wijegoonawardana
 Director/Management (Actg.)
 For Director General

- | | |
|--|---|
| Cc - 1) Commander/Sri Lanka Navy Head Quarters
2) Area Commander/Kalutara/Sri Lanka Navy
3) Vessel Registration Unit/Management Division | } To stop fishing activities by the vessel
} For deregister and report to the IOTC |
|--|---|

Appendix 8: Photographs from arrest



Photograph 1 Fishing buoys near vessel showing position (insert).



Photograph 2 Lakpriya 2 bow.



Photograph 3 Lakpriya 2 starboard.



Photograph 4 Catch from Lakpriya 2. 80 yellowfin tuna, assorted dressed billfish. Estimated weight 4500-4750kg.